

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JANE DOE, et al.,	:	Civil No. 3:21-CV-477
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
SCHUYLKILL COUNTY COURTHOUSE, et al.,	:	(Magistrate Judge Carlson)
	:	
Defendants.	:	

MEMORANDUM AND ORDER

The background of this order is as follows:

The parties have consented to magistrate judge jurisdiction in this case, and on October 29, 2021 we held a case management conference to address the state of the pleadings and various pending motions. Accordingly, as discussed at this conference, IT IS ORDERED as follows:

1. The plaintiffs will file a comprehensive amended complaint on or before **November 1, 2021**.
2. We believe that this development has substantive significance for the parties with respect to the prior pending motions to amend or to dismiss (Docs. 24, 29, 37, 40, and 53) since, as a matter of law, an amended complaint takes the place of any prior complaint, effectively invalidating the prior complaint. Crysen/Montenay

Energy Co. v. Shell Oil Co. (In re Crysen/Montenay Energy Co.), 226 F.3d 160, 162 (2d Cir. 2000) ("[A]n amended pleading ordinarily supersedes the original and renders it of no legal effect"); see 6 Charles Alan Wright, Arthur R. Miller & Mary Kay Kane, Federal Practice & Procedure § 1476 (2d ed. 1990) ("A pleading that has been amended ... supersedes the pleading it modifies.... Once an amended pleading is interposed, the original pleading no longer performs any function in the case...."). Therefore, these prior pending motions (Docs. 24, 29, 37, 40, and 53) are DISMISSED as moot.

3. However, this leave to file an amended complaint is granted without prejudice to the assertion of any defenses or dispositive motions that the defendants may believe are appropriate with respect to the second amended complaint.

4. On or before **November 5, 2021**, the parties shall file a proposed stipulated confidentiality order or submit letter briefs and their competing drafts of proposed confidentiality orders governing discovery so the court may fashion a confidentiality order in this case.

5. On or before **November 12, 2021**, the parties will file a joint status report advising the court regarding whether any action is required with respect to the pending motion for preliminary injunction filed in this case. (Doc. 3).

SO ORDERED, this 1st day of November 2021.

/s/ Martin C. Carlson

Martin C. Carlson

United States Magistrate Judge